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JUL 10 2008

Attorney's Docket No. 3764.P142

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wouter Rhonda

Examiner: Benton, Jason

Application No. 09/749,144

Art Unit: 3747

Filed: December 27, 2000

Confirmation No.: 4762

For: VESSEL ENLARGEMENT BY ARTERIOGENIC  
FACTOR DELIVERY

**PETITION TO WITHDRAW APPLICATION FROM ISSUE UNDER 37 CFR §1.313(c)(2)**  
**IMMEDIATE CONSIDERATION REQUESTED**

Mail Stop 313(c)  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, Virginia 22313-1450

Applicant respectfully petitions for the withdrawal from issue of the above-referenced application under 37 CFR §1.313(c)(2) for consideration of a Request for Continued Examination and the enclosed Information Disclosure Statement. An Issue Notification has been received indicating a date of issuance of July 22, 2008.

Applicant requests consideration of the enclosed Information Disclosure Statement. The references identified in the Information Disclosure Statement were previously submitted May 2, 2001, but not considered by the Patent Office.

In connection with the petition, Applicant submits the following:

- (1) a Request for Continued Examination (RCE) under 37 CFR §1.114;
- (2) an Information Disclosure Statement; and

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(3) an authorization to charge Deposit Account No. 02-2666 the total amount of \$940, which includes the RCE filing fee of \$810 and petition filing fee of \$130.

A Supplemental Notice of Allowability was received in the above-referenced application on June 10, 2008. The issue fee was paid on March 25, 2008. Applicant respectfully petitions that the application be withdrawn from issuance for consideration of the Request for Continued Examination (RCE) to consider the enclosed Information Disclosure Statement.

Due to the imminent possibility of the application issuing as a patent, Applicant urges the Patent Office to immediately consider and grant the petition and RCE.

In the event any additional petition fee is required for consideration of this petition, or any additional fee is required, please charge Deposit Account 02-2666.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 7/10/08

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I hereby certify that this correspondence is being transmitted by facsimile  
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Nedy Calderon  
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7/10/08  
Date